



Reprinted
March 2, 2018

ENGROSSED SENATE BILL No. 303

DIGEST OF SB 303 (Updated March 1, 2018 3:13 pm - DI 116)

Citations Affected: IC 10-21; IC 20-20; IC 20-26; IC 20-27; IC 20-30; IC 20-43; IC 20-50; IC 20-51; IC 21-14; IC 22-11; noncode.

Synopsis: Various education matters. Provides that, on or before December 1, 2018, and periodically thereafter, the secured school safety board shall conduct a review and submit a report to the legislative council. Provides that the report: (1) must provide an overview of the current status of school safety across the state; and (2) may make recommendations to improve the safety of elementary and secondary school students. Amends dates for the following: (1) The submission of reports regarding the number of full-time equivalent students enrolled in an alternative education program. (2) Student enrollment and attendance and grant distributions regarding alternative education program grants. (3) A school corporation's count of pupils in homebound programs. (4) The submission of reports to the department of education (department) concerning scholarships awarded by a
(Continued next page)

Effective: Upon passage; July 1, 2018.

Raatz, Kruse, Melton

(HOUSE SPONSORS — BEHNING, THOMPSON)

January 4, 2018, read first time and referred to Committee on Education and Career Development.

January 25, 2018, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 1, 2018, amended, reported favorably — Do Pass.

February 5, 2018, read second time, amended, ordered engrossed.

February 6, 2018, engrossed. Read third time, passed. Yeas 45, nays 3.

HOUSE ACTION

February 12, 2018, read first time and referred to Committee on Education.

February 27, 2018, amended, reported — Do Pass.

March 1, 2018, read second time, amended, ordered engrossed.

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scholarship granting organization in the previous school year. Provides that an expanded child protection index check for an applicant for employment with a school corporation, charter school, or nonpublic school: (1) must be conducted for Indiana; and (2) may be conducted for other states. Amends requirements and defines "appropriate vehicle" with regard to the types of vehicles a school corporation may use to transport homeless students to a school of origin. Provides that the same requirements apply to the transport of students in foster care to a school of origin. Provides that a school corporation may provide summer school educational services through an online provider. Voids 511 IAC 12-2-2 which pertains to reimbursements from the department for summer school. Amends the conditions that must apply for an original school corporation and a transitional school corporation to be required to enter into an agreement concerning the responsibility for and apportionment of the costs of transporting a foster student to and from a school of origin. Provides that, to drive a school bus, an individual must have a depth perception of at least 80% or 48 seconds of arc or less angle of stereopsis. (Current law requires an individual to have a depth perception of at least 80% or 33 seconds of arc or less angle of stereopsis.) Provides that certain students who are eligible to receive a tuition and fee exemption because the students are children of a veteran must maintain at least a cumulative grade point average that the eligible institution determines is satisfactory academic progress, which may not be less than a cumulative grade point average of 2.0 on a 4.0 grading scale or its equivalent as established by the eligible institution. (Current law requires the student to maintain at least a cumulative grade point average that the eligible institution determines is satisfactory academic progress.) Removes a provision that requires school corporations to conduct an additional cumulative count of pupils in homebound programs for informational purposes. Provides that, not later than August 1, 2019, the department's division of school building physical security and safety, in consultation with the department of homeland security, shall conduct an audit of each school corporation's school safety plan and provide an onsite safety review for each school corporation and make recommendations to the school corporation. Provides that a school that has one or more employees may barricade or block a door for a period not to exceed three minutes in the event of an unplanned fire alarm activation in order for a designated school official to investigate the alarm. Provides that the period may be extended in the event that an active shooter has been verified to be on the school's property. Provides that, on or before August 1, 2018, the state fire marshal, in consultation with the department, shall send written guidance to each school that has one or more employees that describes how a school may apply current fire safety requirements for an unplanned fire alarm activation in order to provide security to students and school staff in the event of a potential active shooter situation.



Reprinted
March 2, 2018

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 303

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-21-1-8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 8. On or before December 1, 2018, and**
4 **periodically thereafter, the board shall conduct a review and**
5 **submit a report to the legislative council, in an electronic format**
6 **under IC 5-14-6. The report:**
7 **(1) must provide an overview of the current status of school**
8 **safety across the state; and**
9 **(2) may make recommendations to improve the safety of**
10 **elementary and secondary school students.**
11 SECTION 2. IC 20-20-33-7, AS ADDED BY P.L.2-2006,
12 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2018]: Sec. 7. (a) Except as provided in subsection (b), the
14 department shall distribute a grant under this chapter to a qualifying
15 school corporation not later than ~~March 1~~. **September 1**. The grant

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1 must be for the number of full-time equivalent students enrolled in and
 2 attending an alternative education program from ~~January~~ **July 1**
 3 through ~~December 31~~ **June 30** of the immediately preceding school
 4 year and reported to the department under IC 20-30-8-15.

5 (b) The department may authorize additional distributions for
 6 approved programs if the total amount of the distributions to a school
 7 corporation during a school year under this subsection does not exceed
 8 a maximum amount of seven hundred fifty dollars (\$750) per full-time
 9 equivalent student reported under IC 20-30-8-15.

10 SECTION 3. IC 20-26-5-10, AS AMENDED BY P.L.185-2017,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2018]: Sec. 10. (a) This section applies to a:

13 (1) school corporation;

14 (2) charter school; or

15 (3) nonpublic school that employs one (1) or more employees.

16 (b) A school corporation, a charter school, and a nonpublic school
 17 shall adopt a policy concerning criminal history information for
 18 individuals who:

19 (1) apply for:

20 (A) employment with the school corporation, charter school,
 21 or nonpublic school; or

22 (B) employment with an entity with which the school
 23 corporation, charter school, or nonpublic school contracts for
 24 services;

25 (2) seek to enter into a contract to provide services to the school
 26 corporation, charter school, or nonpublic school; or

27 (3) are employed by an entity that seeks to enter into a contract to
 28 provide services to the school corporation, charter school, or
 29 nonpublic school;

30 if the individuals are likely to have direct, ongoing contact with
 31 children within the scope of the individuals' employment.

32 (c) Except as provided in subsections (f) and (g), a school
 33 corporation, a charter school, and a nonpublic school shall administer
 34 a policy adopted under this section uniformly for all individuals to
 35 whom the policy applies.

36 (d) A policy adopted under this section must require that the school
 37 corporation, charter school, or nonpublic school conduct an expanded
 38 criminal history check concerning each applicant for employment who
 39 is likely to have direct, ongoing contact with children within the scope
 40 of the individual's employment before or not later than thirty (30) days
 41 after the start date of the applicant's employment by the school
 42 corporation, charter school, or nonpublic school.



(e) A policy adopted under this section:

(1) must require that the school corporation, charter school, or nonpublic school conduct an **Indiana** expanded child protection index check; and

(2) may require that the school corporation, charter school, or nonpublic school conduct an expanded child protection index check in other states;

concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment. **An Indiana expanded child protection index check must be completed** before or not later than sixty (60) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school. ~~An expanded child protection index check made under this section must include inquiries to each state in which information necessary to complete the expanded child protection index check is available.~~

(f) A policy adopted under this section must state that the school corporation, charter school, or nonpublic school requires an expanded criminal history check concerning an employee of the school corporation, charter school, or nonpublic school. The checks must be conducted every five (5) years. A school corporation, charter school, or nonpublic school may adopt a policy to require an employee to obtain an expanded child protection index check every five (5) years.

(g) In implementing subsection (f), and subject to subsection (j), a school corporation, charter school, or nonpublic school may update the checks required under subsection (f) for employees who are employed by the school corporation, charter school, or nonpublic school as of July 1, 2017, over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the number of employees who are employed by the school corporation, charter school, or nonpublic school on July 1, 2017.

(h) An applicant or employee may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before the individual's employment by the school corporation, charter school, or nonpublic school. The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for employment or employee described in subsection (f) may be required:



(1) at the time the individual applies or updates an expanded criminal history check under subsection (f); or

(2) while an expanded criminal history check or expanded child protection index check is being conducted;

to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) An applicant is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs. A school corporation, charter school, or nonpublic school may agree to pay the costs associated with obtaining an expanded criminal history background check for an employee. An employee of a school corporation, charter school, or nonpublic school may not be required to pay the costs of an expanded child protection index check.

(j) An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain an expanded criminal history check or an expanded child protection index check at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:

(1) is the subject of a substantiated report of child abuse or neglect; or

(2) has been charged with or convicted of a crime listed in section 11(b) of this chapter.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

(l) Information obtained under this section must be used in accordance with law.

SECTION 4. IC 20-27-8-1, AS AMENDED BY P.L.127-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) An individual may not drive a school bus for the transportation of students or be employed as a school bus monitor unless the individual satisfies the following requirements:



- (1) Is of good moral character.
- (2) Does not use intoxicating liquor during school hours.
- (3) Does not use intoxicating liquor to excess at any time.
- (4) Is not addicted to any narcotic drug.
- (5) Is at least:
 - (A) twenty-one (21) years of age for driving a school bus; or
 - (B) eighteen (18) years of age for employment as a school bus monitor.
- (6) In the case of a school bus driver, holds a valid public passenger chauffeur's license or commercial driver's license issued by the state or any other state.
- (7) Possesses the following required physical characteristics:
 - (A) Sufficient physical ability to be a school bus driver, as determined by the committee.
 - (B) The full normal use of both hands, both arms, both feet, both legs, both eyes, and both ears.
 - (C) Freedom from any communicable disease that:
 - (i) may be transmitted through airborne or droplet means; or
 - (ii) requires isolation of the infected person under 410 IAC 1-2.3.
 - (D) Freedom from any mental, nervous, organic, or functional disease that might impair the person's ability to properly operate a school bus.
 - (E) This clause does not apply to a school bus monitor. Visual acuity, with or without glasses, of at least 20/40 in each eye and a field of vision with one hundred fifty (150) degree minimum and with depth perception of at least eighty percent (80%) or ~~thirty-three (33)~~ **forty-eight (48)** seconds of arc or less angle of stereopsis.

(b) This subsection applies to a school bus monitor. Notwithstanding subsection (a)(5)(B), a school corporation or school bus driver may not employ an individual who is less than twenty-one (21) years of age as a school bus monitor unless the school corporation or school bus driver does not receive a sufficient number of qualified applicants for employment as a school bus monitor who are at least twenty-one (21) years of age. A school corporation or school bus driver shall maintain a record of applicants, their ages, and their qualifications to show compliance with this subsection.

SECTION 5. IC 20-27-12-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.1. (a) As used in this chapter, "appropriate vehicle" means a vehicle that:**



(1) is owned by the school corporation or contracted for by the school corporation; and

(2) has a seating capacity of not more than eight (8) passengers, including the driver.

(b) The term includes a car, truck, sport utility vehicle, or minivan.

SECTION 6. IC 20-27-12-0.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 0.3. As used in this chapter, "foster care" has the meaning set forth in IC 31-9-2-46.7.

SECTION 7. IC 20-27-12-5, AS ADDED BY P.L.191-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) This section applies to homeless students and students in foster care.

(a) (b) A school corporation may use the following types of vehicles in transporting a homeless student to a school of origin:

(1) If at least four (4) homeless more than seven (7) students are being transported to schools in the same school corporation, a special purpose bus must be used to transport the students.

(2) If three (3) seven (7) or fewer students are being transported to schools in the same school corporation, an appropriate vehicle owned by the school corporation may be used to transport the students.

(b) (c) The driver of a vehicle used to transport homeless students to a school of origin under subsection (a) (b) must meet the qualifications set forth in IC 20-27-9-5(c).

SECTION 8. IC 20-30-7-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The state board may prescribe a program of summer school education for public schools. The state board shall adopt rules under IC 4-22-2 to provide for:

(1) summer school programs; and

(2) the state distribution formula for any money appropriated by the general assembly for summer school education to allow for the reimbursement for:

(A) instructional costs; and

(B) costs of tuition for an applicable online summer school course.

SECTION 9. IC 20-30-7-2, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A school corporation may conduct a program of summer school education.



1 **(b) A school corporation may provide summer school**
 2 **educational services through an online provider.**

3 SECTION 10. IC 20-30-8-15, AS ADDED BY P.L.2-2006,
 4 SECTION 146, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2018]: Sec. 15. Each qualifying school
 6 corporation shall report to the department in the form specified by the
 7 department the number of full-time equivalent students who were
 8 enrolled in an alternative education program. Reports must be
 9 submitted before ~~January 31~~ **July 1** of each year for the ~~period January~~
 10 ~~1 through December 31 of the immediately~~ preceding school year.

11 SECTION 11. IC 20-43-7-5, AS AMENDED BY P.L.217-2017,
 12 SECTION 129, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) In a school corporation's
 14 cumulative count of pupils in homebound programs, a school
 15 corporation shall count each pupil who received homebound
 16 instruction **on or after July 1 and** up to and including ~~December 1~~ of
 17 the current year plus each pupil who received homebound instruction
 18 after ~~December 1~~ of the prior school year. **June 30 of the preceding**
 19 **school year.**

20 **(b) In addition to the cumulative count described in subsection (a);**
 21 a school corporation shall conduct a cumulative count of pupils in
 22 homebound programs for informational purposes and is not used to
 23 calculate grants under this chapter. In a school corporation's
 24 informational cumulative count of pupils in homebound programs; a
 25 school corporation shall count each pupil who received homebound
 26 instruction:

27 (1) for the ~~December 1~~ count, up to and including the December
 28 ~~1~~ count date of the current year plus each pupil who received
 29 homebound instruction after the spring count date of the prior
 30 school year; and

31 (2) for the spring count, up to and including the spring count date
 32 of the current year plus each pupil who received homebound
 33 instruction after the ~~December 1~~ count date of the current school
 34 year.

35 **(c) (b) A school corporation may include a pupil in the school**
 36 corporation's cumulative count of pupils in homebound programs even
 37 if the pupil also is included in the school corporation's:

38 (1) nonduplicated count of pupils in programs for severe
 39 disabilities;

40 (2) nonduplicated count of pupils in programs for mild and
 41 moderate disabilities; or

42 (3) duplicated count of pupils in programs for communication



disorders.

SECTION 12. IC 20-50-3-5, AS ADDED BY P.L.133-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) If a student in foster care temporarily stays in the student's original school corporation but outside the attendance area of the student's school of origin, the original school corporation shall provide transportation for the student from the place where the student is temporarily staying to the school of origin and from the school of origin to the place where the student is temporarily staying.

(b) If:

(1) the school of origin of a student in foster care is located in a school corporation other than the school corporation in which the student is temporarily staying;

~~(2) the school of origin is located in a school corporation that adjoins the school corporation in which the student is temporarily staying; and~~

(2) transportation of the student in foster care is in the best interest of the student; and

(3) the student does not elect to attend a school located in the school corporation in which the student in foster care is temporarily staying;

the original school corporation and the transitional school corporation shall enter into an agreement concerning the responsibility for and apportionment of the costs of transporting the student to and from the school of origin.

(c) If the original school corporation and the transitional school corporation described in subsection (b) are unable to reach an agreement under subsection (b), the responsibility for transporting the student in foster care to and from the school of origin is shared equally between both school corporations, and the cost of transporting the student to and from the school of origin is apportioned equally between both school corporations.

SECTION 13. IC 20-50-3-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6. In transporting a student in foster care to a school of origin as provided under this chapter, the school corporation is subject to IC 20-27-12-5.**

SECTION 14. IC 20-51-3-6, AS ADDED BY P.L.182-2009(ss), SECTION 364, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) A scholarship granting organization certified under this chapter must publicly report to the department by ~~August~~ **December 1** of each year the following



1 information regarding the organization's scholarships awarded in the
2 previous school year:

3 (1) The name and address of the scholarship granting
4 organization.

5 (2) The total number and total dollar amount of contributions
6 received during the previous school year.

7 (3) The:

8 (A) total number and total dollar amount of scholarships
9 awarded during the previous school year; and

10 (B) total number and total dollar amount of school
11 scholarships awarded during the previous school year.

12 The report must be certified under penalties of perjury by the chief
13 executive officer of the scholarship granting organization.

14 (b) A scholarship granting organization certified under this chapter
15 shall contract with an independent certified public accountant for an
16 annual financial audit of the scholarship granting organization. The
17 scholarship granting organization must provide a copy of the annual
18 financial audit to the department and must make the annual financial
19 audit available to a member of the public upon request.

20 SECTION 15. IC 21-14-4-2, AS AMENDED BY P.L.217-2015,
21 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2018]: Sec. 2. (a) Subject to this section and section 2.5 of this
23 chapter, an eligible applicant is entitled to enter, remain, and receive
24 instruction in a state educational institution upon the same conditions,
25 qualifications, and regulations prescribed for other applicants for
26 admission to or scholars in the state educational institutions, without
27 the payment of any educational costs for one hundred twenty-four (124)
28 semester credit hours in the state educational institution.

29 (b) The maximum amount that an eligible applicant is exempt from
30 paying for a semester hour is an amount equal to the cost of an
31 undergraduate semester credit hour at the state educational institution
32 in which the eligible applicant enrolls.

33 (c) This subsection applies only to an individual who qualifies for
34 a benefit under this chapter because of a father or mother (or in the
35 case of section 1(1) of this chapter, a related member) who enlisted or
36 otherwise initially served in the armed forces of the United States after
37 June 30, 2011. This subsection applies to a student who initially enrolls
38 in an eligible institution for a semester (or its equivalent) beginning
39 after June 30, 2012. Subject to subsection (d), any benefits awarded
40 under this chapter may not be renewed, subject to subsections (a) and
41 (b), if the eligible individual fails to maintain at least a cumulative
42 grade point average that the eligible institution determines is



1 satisfactory academic progress, **which may not be less than a**
 2 **cumulative grade point average of 2.0 on a 4.0 grading scale or its**
 3 **equivalent as established by the eligible institution.**

4 (d) After the first semester or its equivalent at the eligible institution
 5 that a person does not achieve the requisite cumulative grade point
 6 average specified in subsection (c), the person is considered to be on
 7 probation and must achieve the requisite cumulative grade point
 8 average by the next semester or its equivalent at the eligible institution
 9 in order to continue to receive benefits under this chapter.

10 (e) Notwithstanding any other provision of this chapter or another
 11 law, a change in the criteria for or the amount of a benefit awarded
 12 under this chapter enacted in the 2011 session of the general assembly
 13 applies only to an individual who qualifies for a benefit under this
 14 chapter because of a father or mother (or in the case of section 1(1) of
 15 this chapter, a related member) who enlisted or otherwise initially
 16 served in the armed forces of the United States after June 30, 2011.

17 SECTION 16. IC 22-11-17-2 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as
 19 provided in ~~subsection~~ **subsections (b) and (d)** and section 2.5 of this
 20 chapter, an owner of a public building shall not permit an exit to be
 21 locked or obstructed in any manner that denies the public a continuous
 22 and unobstructed means of egress while lawfully occupied by anyone
 23 who is not an officer or an employee.

24 (b) The commission may adopt rules under IC 4-22-2 that:

- 25 (1) allow the owner of a public building to equip an exit with a
- 26 special egress control device;
- 27 (2) limit the circumstances under which a special egress control
- 28 device may be used; and
- 29 (3) allow an exit that was in compliance with the rules of the
- 30 commission when the exit was constructed to be equipped with a
- 31 special egress control device.

32 (c) An owner of a public building shall not permit a fire alarm to be
 33 disconnected or otherwise rendered inoperative, except in cases of
 34 routine maintenance or for repair.

35 (d) **A school that has one (1) or more employees may barricade**
 36 **or block a door for a period not to exceed three (3) minutes in the**
 37 **event of an unplanned fire alarm activation in order for a**
 38 **designated school official to investigate the alarm. The school must**
 39 **initiate evacuation and safety procedures after the three (3) minute**
 40 **period expires. However, the period may be extended in the event**
 41 **that an active shooter has been verified to be on the school's**
 42 **property.**



1 SECTION 17. [EFFECTIVE UPON PASSAGE] (a) The definitions
2 used in IC 20 apply throughout this SECTION.

3 (b) On or before August 1, 2018, the state fire marshal
4 appointed under IC 22-14-2-2, in consultation with the department,
5 shall send written guidance to each school that has one (1) or more
6 employees. The guidance must describe how a school may apply
7 current fire safety requirements for an unplanned fire alarm
8 activation in order to provide security to students and school staff
9 in the event of a potential active shooter situation. The written
10 guidance may be sent to a school in an electronic format.

11 SECTION 18. [EFFECTIVE UPON PASSAGE] (a) 511
12 IAC 12-2-2(b) is void. The publisher of the Indiana Administrative
13 Code and Indiana Register shall remove this subsection from the
14 Indiana Administrative Code.

15 (b) This SECTION expires July 1, 2019.

16 SECTION 19. [EFFECTIVE UPON PASSAGE] (a) The definitions
17 in IC 20 apply throughout this SECTION.

18 (b) Not later than August 1, 2019, the division (as defined in
19 IC 20-19-3-14(a)), in consultation with the department of homeland
20 security established by IC 10-19-2-1, shall conduct an audit of each
21 school corporation's school safety plan and provide an onsite safety
22 review for each school corporation and make recommendations to
23 the school corporation of the division's findings.

24 (c) This SECTION expires July 1, 2020.

25 SECTION 20. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 303, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 26, strike "owned by the school corporation".

Page 3, delete lines 31 through 42.

Delete page 4.

Page 5, delete lines 1 through 3.

Page 7, after line 20, begin a new paragraph and insert:

"SECTION 12. IC 21-14-4-2, AS AMENDED BY P.L.217-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) Subject to this section and section 2.5 of this chapter, an eligible applicant is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any educational costs for one hundred twenty-four (124) semester credit hours in the state educational institution.

(b) The maximum amount that an eligible applicant is exempt from paying for a semester hour is an amount equal to the cost of an undergraduate semester credit hour at the state educational institution in which the eligible applicant enrolls.

(c) This subsection applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011. This subsection applies to a student who initially enrolls in an eligible institution for a semester (or its equivalent) beginning after June 30, 2012. Subject to subsection (d), any benefits awarded under this chapter may not be renewed, subject to subsections (a) and (b), if the eligible individual fails to maintain at least a cumulative grade point average that the eligible institution determines is satisfactory academic progress, **which may not be less than a cumulative grade point average of 2.0 on a 4.0 grading scale or its equivalent as established by the eligible institution.**

(d) After the first semester or its equivalent at the eligible institution that a person does not achieve the requisite cumulative grade point average specified in subsection (c), the person is considered to be on probation and must achieve the requisite cumulative grade point



average by the next semester or its equivalent at the eligible institution in order to continue to receive benefits under this chapter.

(e) Notwithstanding any other provision of this chapter or another law, a change in the criteria for or the amount of a benefit awarded under this chapter enacted in the 2011 session of the general assembly applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011.

SECTION 13. IC 21-18-6-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6. (a) The commission, in collaboration with the state board of education (IC 20-19-2), shall establish a uniform online system of staff performance evaluation data that provides the following:**

(1) Staff performance evaluation data at the standard level in a manner that identifies the areas of performance in which development is needed.

(2) Integrated, online professional development support for certificated employees.

(3) Any other information considered appropriate by the commission in providing guidance for certificated employee professional development and preparation programs.

(b) The system under subsection (a) must be available for use by a school corporation if the school corporation elects to use the system.

(c) The information described in subsection (a) may not include any staff performance evaluation data that would identify an individual certificated employee."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 303 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 1.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 303, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 7, after line 22, begin a new paragraph and insert:

"(d) Not later than November 1, 2020, the commission shall prepare and submit a report to the legislative council in an electronic format under IC 5-14-6 regarding the establishment and operation of the online system of staff performance evaluation data, including a report of the number of school corporations that elect to use the system."

and when so amended that said bill do pass.

(Reference is to SB 303 as printed January 26, 2018.)

MISHLER, Chairperson

Committee Vote: Yeas 12, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 303 be amended to read as follows:

Page 7, line 24, delete "legislative council in an" and insert "**budget committee**".

Page 7, line 25, delete "electronic format under IC 5-14-6".

(Reference is to SB 303 as printed February 2, 2018.)

TALLIAN

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 303, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new

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paragraph and insert:

"SECTION 1. IC 10-21-1-8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. On or before December 1, 2018, and periodically thereafter, the board shall conduct a review and submit a report to the legislative council, in an electronic format under IC 5-14-6. The report:**

- (1) must provide an overview of the current status of school safety across the state; and**
- (2) may make recommendations to improve the safety of elementary and secondary school students."**

Page 1, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 2. IC 20-26-5-10, AS AMENDED BY P.L.185-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) This section applies to a:

- (1) school corporation;
- (2) charter school; or
- (3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

- (1) apply for:
 - (A) employment with the school corporation, charter school, or nonpublic school; or
 - (B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;
- (2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or
- (3) are employed by an entity that seeks to enter into a contract to provide services to the school corporation, charter school, or nonpublic school;

if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

(c) Except as provided in subsections (f) and (g), a school corporation, a charter school, and a nonpublic school shall administer a policy adopted under this section uniformly for all individuals to whom the policy applies.

(d) A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded criminal history check concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope



of the individual's employment before or not later than thirty (30) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school.

(e) A policy adopted under this section:

(1) must require that the school corporation, charter school, or nonpublic school conduct an **Indiana** expanded child protection index check; **and**

(2) **may require that the school corporation, charter school, or nonpublic school conduct an expanded child protection index check in other states;**

concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment. **An Indiana expanded child protection index check must be completed** before or not later than sixty (60) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school. ~~An expanded child protection index check made under this section must include inquiries to each state in which information necessary to complete the expanded child protection index check is available.~~

(f) A policy adopted under this section must state that the school corporation, charter school, or nonpublic school requires an expanded criminal history check concerning an employee of the school corporation, charter school, or nonpublic school. The checks must be conducted every five (5) years. A school corporation, charter school, or nonpublic school may adopt a policy to require an employee to obtain an expanded child protection index check every five (5) years.

(g) In implementing subsection (f), and subject to subsection (j), a school corporation, charter school, or nonpublic school may update the checks required under subsection (f) for employees who are employed by the school corporation, charter school, or nonpublic school as of July 1, 2017, over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the number of employees who are employed by the school corporation, charter school, or nonpublic school on July 1, 2017.

(h) An applicant or employee may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before the individual's employment by the school corporation, charter school, or nonpublic school. The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and



pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for employment or employee described in subsection (f) may be required:

- (1) at the time the individual applies or updates an expanded criminal history check under subsection (f); or
- (2) while an expanded criminal history check or expanded child protection index check is being conducted;

to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) An applicant is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs. A school corporation, charter school, or nonpublic school may agree to pay the costs associated with obtaining an expanded criminal history background check for an employee. An employee of a school corporation, charter school, or nonpublic school may not be required to pay the costs of an expanded child protection index check.

(j) An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain an expanded criminal history check or an expanded child protection index check at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:

- (1) is the subject of a substantiated report of child abuse or neglect; or
- (2) has been charged with or convicted of a crime listed in section 11(b) of this chapter.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

(l) Information obtained under this section must be used in accordance with law."

Page 3, between lines 30 and 31, begin a new paragraph and insert:
"SECTION 6. IC 20-30-7-1, AS ADDED BY P.L.1-2005, SECTION



14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The state board may prescribe a program of summer school education for public schools. The state board shall adopt rules under IC 4-22-2 to provide for:

- (1) summer school programs; and
- (2) the state distribution formula for any money appropriated by the general assembly for summer school education **to allow for the reimbursement for:**
 - (A) instructional costs; and**
 - (B) costs of tuition for an applicable online summer school course.**

SECTION 7. IC 20-30-7-2, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. **(a)** A school corporation may conduct a program of summer school education.

(b) A school corporation may provide summer school educational services through an online provider."

Page 7, delete lines 3 through 27, begin a new paragraph and insert: "SECTION 15. [EFFECTIVE UPON PASSAGE] **(a) 511 IAC 12-2-2(b) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this subsection from the Indiana Administrative Code.**

(b) This SECTION expires July 1, 2019.

SECTION 17. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 303 as reprinted February 6, 2018.)

BEHNING

Committee Vote: yeas 9, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 303 be amended to read as follows:

Page 10, between lines 21 and 22, begin a new paragraph and insert: "SECTION 17. [EFFECTIVE UPON PASSAGE] **(a) The definitions in IC 20 apply throughout this SECTION.**

(b) Not later than August 1, 2019, the division (as defined in

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IC 20-19-3-14(a)), in consultation with the department of homeland security established by IC 10-19-2-1, shall conduct an audit of each school corporation's school safety plan and provide an onsite safety review for each school corporation and make recommendations to the school corporation of the division's findings.

(c) This SECTION expires July 1, 2020."

Renumber all SECTIONS consecutively.

(Reference is to ESB 303 as printed February 27, 2018.)

BEHNING

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 303 be amended to read as follows:

Page 10, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 16. IC 22-11-17-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in ~~subsection~~ **subsections (b) and (d)** and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The commission may adopt rules under IC 4-22-2 that:

- (1) allow the owner of a public building to equip an exit with a special egress control device;
- (2) limit the circumstances under which a special egress control device may be used; and
- (3) allow an exit that was in compliance with the rules of the commission when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

(d) A school that has one (1) or more employees may barricade or block a door for a period not to exceed three (3) minutes in the event of an unplanned fire alarm activation in order for a designated school official to investigate the alarm. The school must initiate evacuation and safety procedures after the three (3) minute period expires. However, the period may be extended in the event



that an active shooter has been verified to be on the school's property.

SECTION 17. [EFFECTIVE UPON PASSAGE] (a) The definitions used in IC 20 apply throughout this SECTION.

(b) On or before August 1, 2018, the state fire marshal appointed under IC 22-14-2-2, in consultation with the department, shall send written guidance to each school that has one (1) or more employees. The guidance must describe how a school may apply current fire safety requirements for an unplanned fire alarm activation in order to provide security to students and school staff in the event of a potential active shooter situation. The written guidance may be sent to a school in an electronic format."

Renumber all SECTIONS consecutively.

(Reference is to ESB 303 as printed February 27, 2018.)

FRYE R

